

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 3, 2014, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Eric Bunderson, City Attorney
Russell Willardson, Public Works Director
John Evans, Fire Chief
Lee Russo, Police Chief
Jim Welch, Finance Director
Sam Johnson, Strategic Communications Director
Nancy Day, Acting Parks and Recreation Director
Steve Pastorik, Acting CED Director
Steve Lehman, CED Department
Jake Arslanian, Public Works Department
Kevin Conde, Administration

16628 **OPENING CEREMONY**

The Opening Ceremony was conducted by Mayor Bigelow who related a unique experience representing West Valley City at a festival hosted by the Cambodian community. The event was a fundraiser for the new Buddhist Temple to be constructed near 3600 West and Lancer Way. He acknowledged representatives of the Cambodian community in attendance at the meeting and he made introductions. As part of the opening ceremony, one of the monks led a prayer.

16629 **APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 13, 2014**

The Council read and considered Minutes of the Regular Meeting held May 13, 2014. There were no changes, corrections or deletions.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-2-

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held May 13, 2014, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16630

PRESENTATION OF ENGLISH ACHIEVEMENT AWARDS

Mayor Bigelow indicated students from the Granite Peaks Learning Center and Granger High School ESL programs were in attendance to be recognized with the English Achievement Award. Upon invitation, the students introduced themselves to members of the City Council and told their individual country of origin.

The following students had earned the award: Myna Bounjaleun, Freddy Camcuari, Ore Canchumani, Daysi Chavez, Leim Dang, Dora Duarte, Adriana Falcon, Jose Franco, Julio Cesar Guerra, Julio Guerra, Estela Guzman, Phock Khem, Phaisavan Khounkeo, Juana Laureano, Yen Thi Le, Vilma Limpe, Jose Ines Lopez, Dien Nguyen, Ma De Niz, Heng Nop, Olga Noriega, Rebeca Ramirez, Anarda Polo Ramirez, Silvia Ramirez, Graciela Sanchez Lidia Saracia, Sarith So, Winston Suarez, Violeta Vasquez, Dora Velez-Perea, and Ricardo Virgin.

The City Council congratulated the award winners and presented certificates.

Councilmember Buhler noted there were 15 students in attendance from six different countries and the Council was happy to have all the award recipients as part of the West Valley community.

16631

COMMENT PERIOD

Upon inquiry by Mayor Bigelow the following individuals addressed the City Council during the comment period:

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-3-

A. PUBLIC COMMENTS

Eric Bishop addressed the City Council indicating he would be unable to stay at the meeting for the public hearings, but desired to speak. Mr. Bishop stated he owned property immediately adjacent to two Newton properties that appeared on the agenda under public hearings. He discussed background information regarding his property. He stated there were legitimate arguments for smaller lots and water conservation. Mr. Bishop indicated neighbors of surrounding properties wanted 'R-1-10' zoning and that was the reason for the applications tonight. He explained continuing 'R-1-10' zoning would provide continuity and be better for the neighborhood. He stated during the most recent economic downturn period, larger properties had been first to "take it in the pocketbook" and people had not maintained their yards. He indicated development agreements and design guidelines were ways to ensure quality developments.

B. CITY COUNCIL COMMENTS

Councilmember Rushton thanked all those who came out in support of the recent "Get into the River Day" along the Jordan River. He stated many volunteers assisted with the very successful event, including the celebration and grand opening of the pedestrian bridge and granary near the Utah Cultural Celebration Center. He expressed appreciation to everyone involved in that event.

16632 PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2013-2014 BUDGET

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding re-opening the FY 2013-2014 Budget.

Mayor Bigelow presented proposed Ordinance No. 14-27 that would amend the Budget of West Valley City for the fiscal year beginning July 1, 2013, and ending June 30, 2014, to reflect changes in the Budget from increased revenues and authorize disbursement of funds.

He stated State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allowed the City to amend its budget during the year. He indicated West Valley City held quarterly public hearings on budget amendments that reflected changes in actual revenues and expenditures. He advised proper notice had been given regarding the public hearing as required by law.

He also stated that this year the budget opening process had been changed to a quarterly basis.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-4-

Mayor Bigelow opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Bigelow closed the public hearing.

ACTION: CONSIDER ORDINANCE NO. 14-27, AMENDING THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE DISBURSEMENT OF FUNDS

The City Council previously held a public hearing regarding re-opening the FY 2013-2014 Budget and proposed Ordinance No. 14-27 that would amend the Budget of West Valley City for the fiscal year beginning July 1, 2013 and ending June 30, 2014, to reflect changes in the Budget from increased revenues and authorize disbursement of funds.

After discussion, Councilmember Rushton moved to approve Ordinance No. 14-27, an Ordinance Amending the Budget of West Valley City for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014, to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16633

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-10-2013, FILED BY WEST VALLEY CITY, REQUESTING AN ORDINANCE TEXT AMENDMENT TO SECTION 7-14-105 OF THE WEST VALLEY CITY MUNICIPAL CODE BY UPDATING THE DESIGN STANDARDS FOR HOMES IN NEW SUBDIVISIONS

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider accept public input regarding Application No. ZT-10-2013, filed by West Valley City, requesting an ordinance text amendment to Section 7-14-105 of the West Valley City Municipal Code by updating the design standards for homes in new subdivisions.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-5-

Mayor Bigelow presented proposed Ordinance No. 14-28 that would amend Section 7-14-105 of Title 7 of the West Valley City Municipal Code, Land Use Development and Management Act, regarding development plan requirements for single-family and two-family dwellings.

He stated primary changes were to the point system of architectural features first adopted in 2005. He indicated the City Council had requested an update to the point system in order to raise the bar on standards and to adjust the point value of different features so that more prominent features would be emphasized.

He explained that in the late 1990's the City began to increase standards for new homes by requiring things like a two-car garage, masonry exterior materials and more living space. In 2005, the City adopted architectural standards in the form of a point system for homes in new subdivisions. He stated now that the point system had been in place for nine years and results were known, the Council had directed a revisit of the ordinance to raise the bar on homes built on the relatively little remaining vacant ground.

He advised the original draft proposed by City staff had been amended following significant input from homebuilders and discussion by the Planning Commission in three public hearings. Speaking generally, the proposed ordinance raised the minimum number of points required so that more was required, lowered the point value of many of the design features so that more was required, and added new design features to offer homebuilders more choices.

He further advised if the proposed new standards were adopted, they would only apply to homes in new subdivisions submitted after adoption of the ordinance. He explained there were still hundreds of lots within approved subdivisions like Highbury Place, Southridge and Sunset Hills that would not be affected by these new standards.

Mayor Bigelow opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Bigelow closed the public hearing.

ACTION: CONSIDER ORDINANCE NO. 14-28, AMENDING SECTION 7-14-105 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE, LAND USE DEVELOPMENT AND MANAGEMENT ACT, REGARDING DEVELOPMENT PLAN REQUIREMENTS FOR SINGLE-FAMILY AND TWO-FAMILY DWELLINGS

The City Council previously held a public hearing regarding Application No. ZT-10-2013, filed by West Valley City, and proposed Ordinance No. 14-28 that would amend Section 7-14-105 of Title 7 of the West Valley City Municipal

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-6-

Code, Land Use Development and Management Act, regarding development plan requirements for single-family and two-family dwellings.

After discussion, Councilmember Vincent moved to continue Application No. ZT-10-2013, filed by West Valley City, and action regarding proposed Ordinance No. 14-28, Amending Section 7-14-105 of Title 7 of the West Valley City Municipal Code, Land Use Development and Management Act, Regarding Development Plan Requirements for Single-Family and Two-Family Dwellings, to the Regular Meeting scheduled June 10, 2014, in order for staff to bring back a revised draft ordinance with changes as previously discussed in the Council's Study Meeting. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

Application No. ZT-10-2013 and action regarding proposed Ordinance No. 14-28 continued to Regular Council Meeting scheduled June 10, 2014.

16634

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-1-2014, FILED BY FIELDSTONE UTAH INVESTORS, REQUESTING A ZONE CHANGE FROM ZONE 'A' (AGRICULTURE) TO ZONE 'R-1-10' (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET) FOR PROPERTY LOCATED AT 3700 SOUTH 6400 WEST

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-1-2014, filed by Fieldstone Utah Investors, requesting a zone change from zone 'A' (Agriculture) to zone 'R-1-10' (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.) for property located at 3700 South 6400 West.

Mayor Bigelow presented proposed Ordinance No. 14-29 that would amend the Zoning Map to show a change of zone for property located at 3700 South 6400 West from zone 'A' (Agriculture) to zone 'R-1-10' (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.).

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-7-

He stated Fieldstone Homes had requested the zone change for a 6.18 acre parcel at 3700 South 6400 West from 'A' (Agriculture, Minimum Lot Size of ½ acre) to 'R-1-10' (Single-Family Residential, Minimum Lot Size of 10,000 sq. ft.). He advised surrounding zones included 'A' to the north and west, 'R-1-8' (Single-Family Residential, Minimum Lot Size of 8,000 sq. ft.) to the east, and 'A' and 'R-1-10' to the south. He indicated the property was surrounded by vacant/agricultural ground to the north, west and south, and single-family homes to the east along 6400 West. The subject property was designated as large lot residential that anticipated two to three units per acre in the West Valley City General Plan. He stated the General Plan also indicated the need for a park in the area.

He explained a separate re-zone application (Z-2-2014) from 'A' to 'R-1-10' had been submitted by Hallmark Homes for the property directly north and west of the subject property.

He indicated the applicant had submitted a concept plan that had previously been distributed to the City Council showing the subject property being subdivided into 18 lots yielding a density of three units per acre with an average lot size of just over 12,000 square feet. At the request of staff, the concept plan also detailed how the rest of the Newton family property could potentially be subdivided. He stated a concept plan had been included to give the Council an idea of the potential number of lots and show how the property could be developed. He advised generally speaking, concept plans were not engineered, meaning storm drainage, topography and utilities had not been accounted for; and for this reason, concept plans were subject to change.

He also stated the General Plan designation for this property was large lot residential that meant two to three units per acre. While the proposed density did comply with the General Plan, it was at the high end of the recommended density. He advised a larger lot zone such as 'R-1-12' would also comply with the General Plan.

Mayor Bigelow presented proposed Resolution No. 14-89 that would authorize the City to enter into a Development Agreement with Fieldstone Utah Investors, LLC, for approximately 6.18 acres of property located at 3700 South 6400 West.

He stated the proposal would establish minimum standards for a new single-family home subdivision at 3700 South 6400 West. He indicated Jason Harris had submitted the re-zone application to change a 6.18-acre parcel from 'A' (Agriculture, Minimum Lot Size ½ acre) to 'R-1-10' (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.). He reported the Planning Commission had recommended approval of the zone change subject to a development agreement with standards summarized as follows:

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-8-

- The minimum house size for ramblers shall be 1,550 square feet. For all other home plans, the minimum size shall be 1,850 square feet.
- At least one-third of all homes shall have a three-car garage.
- The exterior of all homes shall be 100% masonry and include brick or stone on the front.
- All homes shall use architectural shingles.
- Setback reductions are allowed for living space and front porches.
- Street trees shall be provided to the homeowners.
- Front yard landscaping and irrigation shall be installed by the homebuilder.
- The maximum density shall be three units/acre.
- All homes shall meet the standards recommended for adoption by the Planning Commission on March 12, 2014.

Mayor Bigelow opened the public hearing.

Jason Harris, applicant, addressed the City Council and expressed appreciation for the opportunity to talk about the Fieldstone Homes project. He indicated the two main things he desired to address were the re-zone and a park at this location. He discussed zoning and stated previous comments made by Eric Bishop were appropriate. He showed a map and discussed the historical revolution of the Newton family property including zoning of the surrounding properties. He indicated through encouragement of staff and the pattern of the City Council's past decisions, 'R-1-10' had been proposed for the subject location. He advised he had heard discussions of the Council during the previous week's Study Meeting and commended members of the Council for looking out for the community. He indicated staff's recommendation had been taken into consideration and the 'R-1-10' plan submitted, with the Planning Commission making a recommendation for approval after no public opposition. He stated this re-zone was a great fit for the community and requested approval of the proposal. He discussed other information regarding the proposed park that was not part of the application and not what had been anticipated. He indicated a park was a concern of staff and this was a difficult discussion for his six-acre portion of 30 acres of ground. He stated staff had brought in Hallmark Homes and together they discussed the park. He also stated previous re-zones had not been required to include a park and they expected the same to apply to them. He expressed interest in working with the other applicant (Hallmark) to help the City facilitate an opportunity at that location. He explained three things would be a win/win/win regarding a park – the City had an opportunity to receive the ground for free, the proposed design flexibility for them and the other applicant (Hallmark), and some lots being reduced in size in order to give extra ground for a park. He advised they could still maintain over 10,000 square feet on the average with approximately eight lots of 8,000 square feet size, with 19 lots being 12,000 square feet or more and the

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-9-

remaining lots approximately 10,000 square feet. He indicated they had proposed a park be located in the northeast corner of the property where a barn currently was located. He stated that location would have historical significance to the area and the Newton family and this would be a win scenario for everyone. He discussed the re-zone stating the issues pointed out stood by themselves and the most logical move for the property would be 'R-1-10' zoning. Mr. Harris stated, in closing, the City should treat all developers on this property equally and he showed examples of the types of homes they would build if the zoning were approved. He also answered questions from members of the City Council.

Mary Jane Newton-Davis addressed the City Council and expressed appreciation for the opportunity to speak. She stated she took the responsibility of being a Newton very seriously as she loved the property that had been in the family since the 1870's. She advised she was the 4th generation to have enjoyed the property and remained emotionally invested in the property, the neighbors and the City. She expressed knowledge they could not continue to farm the property and would need to do something different. She advised the existing home on the property had been built for one of Brigham Young's daughters and the family treasured the house and still held family activities in the barn. She indicated that together with her cousins they had decided almost a year ago to look into developing the property in the best way possible. She advised countless developers and investors had been interviewed and she felt they had come up with the best scenario. She indicated two developers stood above the rest including Hallmark who built a quality home. She stated a plan had been developed to fit into and upgrade the community, which was what the family wanted for the City. She thanked the City Council members for their endeavors in supporting their family and their decisions, including willingness to support the applications of Fieldstone and Hallmark.

George Newton addressed the City Council and discussed the zoning of 'R-1-10' and Fieldstone's concept. Mr. Newton stated people did not want to spend money on property but rather on smaller lots with bigger houses.

Frank Newton addressed the City Council and stated he resided on the subject property and was still involved in the farm today. He indicated this was a difficult decision for the family who still lived there and intended to continue to live there. He stated the project had focused on quality development and quality homes that would contribute to the neighborhoods and increase property values. He suggested bigger lots did not always contribute to better neighborhoods. He expressed his desire to see neighbors that took pride in their homes and, hopefully, the subject development would have homeowners who desired to stay in them for a long time. He expressed favor of the 'R-1-10' zone and indicated to the developer the expectation of high quality, up-scale homes.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-10-

There being no one else to speak either in favor or in opposition, Mayor Bigelow closed the public hearing.

Mayor Bigelow called for discussion.

Councilmember Buhler expressed appreciation to developers when they listened and he shared a discussion from the previous Study Meeting. He thanked the developer for the parks concept, but pointed out the proposal for Council consideration included only a zoning application at this time.

Upon inquiry by Councilmember Buhler regarding how a park concept could be guaranteed if it was not part of the six acres to be re-zoned, Steve Pastorik, Acting CED Director, advised the proposal could be continued and the park issue addressed in a development agreement. He advised if so directed, a development agreement could be drafted after meeting with the developers of both properties, Fieldstone and Hallmark.

Councilmember Vincent advised he too was not concerned regarding the size of each individual lot, but rather that the overall mix be 10,000 square foot lots. He expressed concern if one property owner would be required to provide a park, but desired to hear from the other applicant, Hallmark.

Acting City Manager, Paul Isaac, advised it would be best to continue the action on the applications from both developers if the Council desired to consider development agreements.

Mayor Bigelow expressed concern regarding losing open space on the subject property and other undeveloped land in the City. He stated the more homes placed on same sized streets the more increase traffic creating the necessity for expanding the road in the future that would mean taking of property for that purpose. He indicated quality of life in West Valley City was important. He explained the subject property's history was interesting, but once homes were constructed the history would be gone. He expressed his belief that quality homes could be built on any size lots. He stated many homes existed on small lots with far fewer larger lots existing and people who desired to stay in the City wanted larger homes. He pointed out overall city planning was more important than individual plats or lots and he expressed the need to be cautious with the two applications as well as those in the future. He indicated there was not much open space or land for moving up including lot sizes and he reiterated the need to be concerned with what was best for the City overall.

Councilmember Rushton stated these decisions were very difficult and it was good to hear the Newton family tell how much they loved and appreciated the City and express concerns about its direction. He indicated there were still

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-11-

questions that needed to be answered. He expressed appreciation for the map showing “puzzle pieces” of property and how they were zoned. He stated there were ways to achieve goals of the Newton family, the developer, the builders, the potential buyers and the City; and those solutions were very close.

Councilmember Huynh thanked Mary Jane Newton-Davis for her convincing argument and very interesting history of the property and involvement of her family. He expressed concurrence with the Mayor’s remarks regarding traffic and the lack of buildable land left in the City. He also discussed Councilmember Vincent’s comments regarding fairness and expressed concern regarding those matters.

Councilmember Lang stated that as in the previous application that had been continued, the proposal seemed close; but just not there yet. She suggested in all fairness that it not be denied at this time.

ACTION: CONSIDER ORDINANCE NO. 14-29, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3700 SOUTH 6400 WEST FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-10’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET)

The City Council previously held a public hearing regarding Application No. Z-1-2014, filed by Fieldstone Utah Investors, and proposed Ordinance No. 14-29, that would amend the Zoning Map to show a change of zone for property located at 3700 South 6400 West from zone ‘A’ (Agriculture) to zone ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.).

After discussion, Councilmember Lang moved to continue Application No. Z-1-2014, filed by Fieldstone Utah Investors, and action regarding proposed Ordinance No. 14-29 to no date certain to give the developer, landowner and City staff time to work with the next applicant relating to City Council comments regarding a park and lot sizes. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-12-

Application No. Z-1-2014 and action regarding proposed Ordinance No. 14-29 continued to no date certain.

ACTION: CONSIDER RESOLUTION NO. 14-89, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH FIELDSTONE UTAH INVESTORS, LLC, FOR APPROXIMATELY 6.18 ACRES OF PROPERTY LOCATED AT 3700 SOUTH 6400 WEST

The City Council previously held a public hearing regarding Application No. Z-1-2014, filed by Fieldstone Utah Investors, and considered and continued the matter to no date certain.

After discussion, Councilmember Lang moved to continue proposed Resolution No. 14-89 to no date certain; and to be brought back to the City Council with proposed Ordinance No. 14-29. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

Proposed Resolution No. 14-89 continued to no date certain.

16635

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-2-2014, FILED BY HALLMARK HOMES AND DEVELOPMENT, REQUESTING A ZONE CHANGE FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-10’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET) FOR PROPERTY LOCATED AT 3654 SOUTH 6400 WEST

Mayor Bigelow informed a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. Z-2-2014, filed by Hallmark Homes and Development, requesting a zone change from zone ‘A’ (Agriculture) to zone ‘R-1-10’ (Single-Family Residential Minimum Lot Size 10,000 sq. ft.) for property located at 3654 South 6400 West.

Mayor Bigelow presented proposed Ordinance No. 14-30 that would amend the Zoning Map to show a change of zone for property located at 3654 South 6400

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-13-

West from zone 'A' (Agriculture) to zone 'R-1-10' (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.).

He stated Hallmark Homes had requested a zone change for three parcels totaling 18.5 acres from 'A' (Agriculture, Minimum Lot Size of ½ acre) to 'R-1-10' (Single-Family Residential, Minimum Lot Size of 10,000 sq. ft.). He advised that surrounding zones included 'R-1-8' (Single-Family Residential, Minimum Lot Size of 8,000 sq. ft.) to the north, 'R-1-8' and 'A' to the east, 'A' to the west, and 'A' and 'R-1-10' to the south. He indicated the subject property was surrounded by vacant/agricultural ground to the south and west, single-family homes to the north and single-family homes and vacant ground to the east. He indicated the subject property had been designated as large lot residential that anticipated two to three units per acre, as prescribed in the West Valley City General Plan. He also advised the General Plan indicated the need for a park in this area.

He reported a separate re-zone Application (No. Z-1-2014) requesting zoning from 'A' to 'R-1-10' was submitted by Fieldstone Homes for the property directly to the south and east of the subject property.

He advised that the applicant had submitted a concept plan previously distributed to members of the City Council. The plan indicated a density of three units per acre and an average lot size of just over 11,300 square feet. He stated at the request of staff the concept plan also showed how the rest of the Newton Family property could potentially be subdivided. He reminded a concept plan had been included to give the Council an idea of the potential number of lots and to show how the property could be developed. He further advised that generally speaking, concept plans were not engineered, meaning storm drain, topography and utilities had not been accounted for; and for that reason, the concept plans were subject to change.

He further indicated the General Plan designation for the property was large lot residential that meant two to three units per acre. He stated that while the proposed density did comply with the General Plan it was at the high end of the recommended density and a larger lot zone such as 'R-1-12' would also comply with the General Plan.

Mayor Bigelow opened the public hearing.

Russ Tolbert, applicant, addressed the City Council. He discussed the same map as shown by the previous applicant. He expressed some confusion regarding action on the previous application; and requested clarification why the zoning had not been approved and other issues resolved in a development agreement.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-14-

Councilmember Lang answered questions and shared her opinions including clarification of her motion for a continuance on the previous application.

Mr. Tolbert expressed appreciation for the clarification and stated the previous applicant and Newton family members had been eloquent in explaining reasons for requesting the 'R-1-10' zoning and he felt it would be a win/win for the City to get open space for a park. He stated a park should override the desire for larger lots, as there was great cost and a lot of water needed to maintain larger lots. He stated 10,000 square foot lot average would be the best solution. He indicated he had spent a lot of time with the Newtons, had agreed on the terms of a development agreement with staff and the application had been approved by the Planning Commission. He also stated to change to the 'R-1-12' zone did a disservice to the community because there would be no park, and it would be good to get a little of both. He stated the property had not been purchased in anticipation of a park, but after discussing the issue with City staff they had come up with the win/win/win solution with the other applicant, Fieldstone. Mr. Tolbert indicated the proposal fit with the master plan and City's guidelines and there had been no public comment other than the Newtons. He expressed his assumption the neighbors were not upset with the 'R-1-10' zoning because they did not show up at the meeting. He stated notice had been sent out and all had a chance to talk, however, they had attended the Planning Commission hearing. He indicated this Council was not bound by other Councils, but in fairness everything up to this point had been zoned 'R-1-10' so a precedent had been set. He answered various questions from members of the City Council. Upon inquiry, Mr. Tolbert advised he had worked with the previous applicant (Fieldstone) and met with City staff regarding park property and sharing in trying to meet the Newton's desires. He advised they had verbal agreements, but needed to get the zoning in place before putting it in writing. He discussed several meetings with staff to come up with a good solution including the park desired by the City. He stated the proposal would add to the history of the area and have a legacy for a long time. He indicated a park could be worked out at a later date with a development agreement.

Councilmember Vincent discussed the concept plan presented and indicated only two members of the City Council had expressed support for 'R-1-12' zoning. He discussed merits of the proposal and indicated it would be appropriate to continue the matter until the two developers could meet to discuss terms of a collaborative development agreement.

Mr. Tolbert stated Hallmark had a greater burden for a park and had gone the extra mile to work with Fieldstone and the property owners.

Councilmember Buhler advised the collaborative issue was the reason for not approving the previous application as the two needed to mesh together.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-15-

Jason Harris, applicant for the previous application (Z-1-2014), addressed the City Council. Mr. Harris stated discussion had turned to collaboration, but the Hallmark and Fieldstone projects could stand-alone. He indicated the zoning requested by both was appropriate and he encouraged the City Council to reconsider tabling the proposals. He indicated if the park option was desired; it would not be an issue and should not be tied to zoning, but be in addition. He explained the master plan addressed the growth that would happen and the future needs of roads and infrastructure. He also commented regarding the unknown results of collaboration and stated the proposal currently before the Council was for zoning.

There being no one else to speak either in favor or in opposition, Mayor Bigelow closed the public hearing.

Mayor Bigelow called for discussion.

Councilmember Rushton stated the proposal was close to the City's vision and moving forward. He indicated opposing viewpoints seemed to be coming together with solutions. He reminded the proposal before the Council was one of zoning and not the issue of a park or contingent on a park. He explained the importance of the subject property with a baseline for moving forward of 'R-1-10' or larger lots. He advised the Council was requesting creative solutions from developers that included amenities, home size and design, and subdivision design. He stated the barn was viewed as an amenity and suggested the possibility of a community garden on the Newton farm property. He stated this could be more difficult than a standard proposal, but would be creative for the neighborhood. He indicated a park would be one possible answer. Councilmember Rushton discussed water issues mentioned earlier and shared some facts and statistics regarding water.

Councilmember Nordfelt stated he would not oppose 'R-1-10' zoning, but liked the idea of a mix of lot sizes and accommodating a park. He expressed appreciation of all those involved in the project attempting to come to a solution best for West Valley City.

Councilmember Huynh indicated the developers picked by the Newton family were outstanding. He pointed out the City Council was planning for the City's future and there was not much undeveloped land.

Mayor Bigelow indicated the master plan was not perfect and could be improved, including accommodating traffic. He expressed his own personal desire for the subject property to remain 'A' and be developed into a park. He discussed the loss of farmland all across the Salt Lake Valley and the need to keep farms as open land to be forever appreciated.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-16-

ACTION: CONSIDER ORDINANCE NO. 14-30, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3654 SOUTH 6400 WEST FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘R-1-10’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET)

The City Council previously held a public hearing regarding Application No. Z-2-2014, filed by Hallmark Homes and Development, and proposed Ordinance No. 14-30 that would amend the Zoning Map to show a change of zone for property located at 3654 South 6400 West from zone ‘A’ (Agriculture) to zone ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.).

After discussion, Councilmember Rushton moved to continue Application No. Z-2-2014, filed by Hallmark Homes and Development, and action regarding proposed Ordinance No. 14-30 to no date certain to give the developer, landowner and City staff time to work with the previous applicant relating to City Council comments regarding a park and lot sizes. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

Application No. Z-2-2014 and action regarding proposed Ordinance No. 14-30 continued to no date certain.

ACTION: CONSIDER RESOLUTION NO. 14-90, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH HALLMARK HOMES AND DEVELOPMENT FOR APPROXIMATELY 18.5 ACRES OF PROPERTY LOCATED AT 3654 SOUTH 6400 WEST

The Council previously held a public hearing regarding Application No. Z-2-2014, filed by Hallmark Homes and Development, and considered proposed Ordinance No. 14-30 then continued the matter to no date certain.

After discussion, Councilmember Vincent moved to continue proposed Resolution No. 14-90 to no date certain and to be brought back to the City Council with Ordinance No. 14-30. Councilmember Lang seconded the motion.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014
-17-

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

Proposed Resolution No. 14-90 continued to no date certain.

16636

APPLICATION NO. PUD-4-2013, FILED BY HENRY WALKER HOMES, REQUESTING FINAL PLAT APPROVAL FOR VILLAGES AT WESTRIDGE PHASE 2, LOCATED AT 5600 WEST LAKE RIDGE DRIVE

Mayor Bigelow presented Application No. PUD-4-2013, filed by Henry Walker Homes, requesting final plat approval for Villages at Westridge Phase 2 located at 5600 West Lake Ridge Drive.

He stated the proposed second phase of the Villages at Westridge PUD consisted of 28 townhome units on 2.12 acres.

He advised that in March of 2014, the Council approved a modification to the original development agreement related to the site plan and building architecture. During this process the developer had designed new plans to better reflect a mansion style home. He advised that with the approved agreement, the developer was now ready to move forward with Phase 2.

He informed the site plan provided for a more walkable community than the previous plan and the absence of garages fronting the main rights-of-way would create a more pleasing street scene. He stated the buildings were larger and would have covered front porches.

He explained access to this phase would be gained from Lake Ridge Drive and from Summer Ridge Drive, both dedicated streets. The right-of-way would consist of a five-foot parkstrip and five-foot sidewalk. All other streets within the development would be private. The cross section in the private drives would be 27.5 feet. This would provide 26 feet of pavement and a 1.5-foot rolled gutter.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-18-

Housing for this phase would be three- and four-plex townhome units. These units had been designed to look like a large single-family dwelling. Elevations would have one main entry on the front of the building with other entrances being located on the side of the building and/or a side entrance at the front of the building. Based on the footprint of the structure, there was an abundance of relief and building movement with covered porches and popouts.

He reported proposed square footage was encouraging as the original approved square footage had increased by approximately 20 percent. Square footage ranged from 2,143 to 2,211 square feet. All units would have three bedrooms that addressed concerns expressed by the City, as many projects only offered two bedrooms. The third bedroom would allow a growing family to stay longer in the home thus prolonging their stay in the community. He also advised per the development agreement, buildings would consist of 100% masonry products.

After discussion, Councilmember Rushton moved to approve Application No. PUD-4-2013, filed by Henry Walker Homes, and give final plat approval for Villages at Westridge Phase 2 located at 5600 West Lake Ridge Drive. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JUNE 3, 2014, WAS ADJOURNED AT 8:27 P.M., BY MAYOR BIGELOW.

MINUTES OF COUNCIL REGULAR MEETING – JUNE 3, 2014

-19-

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, June 3, 2014.

Sheri McKendrick, MMC
City Recorder